

Substitute Form PTO-1449 (Modified)		U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 12406-006003	Application No. 10/616,783
<b>Information Disclosure Statement by Applicant</b> <small>(Use several sheets if necessary)</small>		Applicant Hohn et al.		
		Filing Date July 10, 2003	Group Art Unit 2826	
<small>OCT 19 2005 PATENT &amp; TRADEMARK OFFICE (37 CFR 5096(b))</small>				

U.S. Patent Documents							
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
MLT	AA	2,096,693	10/1937	Cox			
	AB	2,192,869	03/1940	Pearce			
	AC	3,602,758	08/1972	Thorton			
	AD	3,742,833	07/03/1997	Sewell et al.			
	AE	3,976,877	08/1976	Thillays			
	AF	4,203,792	05/1980	Thompson			
	AG	4,307,297	12/1981	Groff et al.			
	AH	4,758,449	07/19/1988	Kimura et al.			
	AI	4,843,280	06/1989	Lumbard et al.			
	AJ	4,851,695	07/1989	Stein			
	AK	4,875,750	10/1989	Spaeth et al.			
	AL	4,935,856	06/1990	Dragoon			
	AM	5,035,483	07/30/1991	Waitl et al.			
	AN	5,166,456	11/24/1992	Yoshino			
	AO	5,294,897	03/15/1994	Notani et al.			
	AP	5,382,452	01/17/1995	Bruno et al.			
	AQ	5,387,836	02/07/1995	Adachi et al.			
	AR	5,479,050	12/26/1995	Pritchard et al.			
	AS	5,543,657	08/06/1996	Diffenderfer et al.			
	AT	5,545,386	08/13/1996	Kaneyoshi et al.			
	AU	5,685,071	11/1997	Gates, Jr. et al.			
	AV	5,863,810	01/1999	Kaldenberg			
	AW	5,879,647	03/09/1999	Wataya et al.			
	AX	6,066,861	05/23/2000	Höhn et al.			
	AY	6,085,971	07/11/2000	Tews et al.			
	AZ	6,140,040	10/31/2000	Palm et al.			
MLT	AAA	6,180,029	01/2001	Hampden-Smith et al.			

Examiner Signature Minhloan Tran	Date Considered 4106
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

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U.S. Patent Documents							
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
MLT	BA	6,245,259	06/12/2001	Höhn et al.			
	BB	6,277,301	08/21/2001	Höhn et al.			
	BC	6,295,750	10/2/2001	Harwell et al.			
	BD	6,455,213	09/24/2002	Lee			
	BE	6,592,780	07/15/2003	Höhn et al.			
	BF	6,596,141	07/22/2003	Rasmussen			
	BG	6,613,247	09/02/2003	Höhn et al.			
	BH	6,666,993	12/23/2003	Milewski			
	BI	6,692,659	02/17/2004	Brown et al.			
	BJ	RE 34,254	05/18/1993	Dragoon			
	BK	2001/0045647	11/29/2001	Höhn et al.			
MLT	BL	2004/0016908	01/29/2004	Höhn et al.			

Foreign Patent Documents or Published Foreign Patent Applications							
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
MLT	BM	1 007 825	10/31/1995	Belgium	E01F	G02B	Abstract Only
	BN	0 387 715	09/19/1990	EPO	H05B	33/14	
	BO	1915290	10/02/1969	Germany			Abstract Only
	BP	DE 7128442	12/30/1971	Germany			X
	BQ	297 24 381	12/03/2001	Germany			X
	BR	2149416	06/12/1985	Great Britain			Abstract Only
	BS	06 104491	04/15/1994	Japan	H01L	33/00	Abstract Only
	BT	08-032120	02/02/1996	Japan	H01L	33/00	Abstract Only
	BU	09 027642	01/28/1997	Japan	H01L	33/00	Abstract Only
MLT	BV	10-242513	09/11/1998	Japan			Abstract Only

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Foreign Patent Documents or Published Foreign Patent Applications							
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
MLT	CA	10 012925	01/16/1998	Japan	H01L	33/00	Abstract Only
	CB	51145288	12/14/1976	Japan			Abstract Only
	CC	53001180	01/07/1978	Japan			Abstract Only
	CD	53-100787	09/02/1978	Japan	H01L	33/00	Abstract Only
	CE	54-066093	05/28/1979	Japan	H01L	33/00	Abstract Only
	CF	58-043584	03/14/1983	Japan	H01L	33/00	Abstract Only
	CG	61-240680	10/25/1986	Japan			Abstract Only
	CH	61-248839	11/06/1986	Japan			Abstract Only
	CI	96/23030	08/01/1996	WIPO			
MLT	CJ	97/48138	12/18/1997	WIPO			
	CK						
	CL						

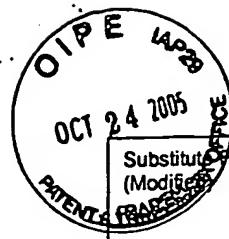
Other Documents (include Author, Title, Date, and Place of Publication)		
Examiner Initial	Desig. ID	Document
MLT	CM	Möllmer et al., "Siemens SMT TOP-LED for Surface Mounting", <i>Siemens Components</i> , Bd. 26, No. 6, pp. 193-196 (1991)
	CN	Translation of Japanese Office Action Dated June 2, 2005
	CO	Notice of European Opposition Dated September 15, 2003
	CP	Notice of European Opposition Dated February 28, 2005
	CQ	Six European Search Reports dated May 25, 2005
	CR	<i>In the Matter of Certain Light-Emitting Diodes and Products Containing Same</i> , Investigation No. 337-TA-512, "Notice of Commission Final Determination of No Violation of Section 337 as to One Patent and Determination to Remand the Investigation as Certain Other Patents," Dated August 10, 2005
MLT	CS	<i>In the Matter of Certain Light-Emitting Diodes and Products Containing Same</i> , Investigation No. 337-TA-512, "Initial Determination on Violation of Section 337 and Recommended Determination on Remedy and Bond," (Public Version), Dated May 10, 2005

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		Filing Date July 10, 2003	Group Art Unit 2826

<b>Other Documents (include Author, Title, Date, and Place of Publication)</b>		
Examiner Initial	Desig. ID	Document
MLT	DA	<i>In the Matter of Certain Light-Emitting Diodes and Products Containing Same</i> , Investigation No. 337-TA-512, "Commission Opinion," (Public Version), Dated August 29, 2005
	DB	Summons and Complaint re: Citizen Electronics Company, Ltd. v. Osram GmbH and Osram Opto Semiconductors GmbH, Case Number 1:05CV01560
	DC	Summons and Complaint re: Citizen Electronics Company, Ltd. v. Osram GmbH and Osram Opto Semiconductors GmbH, Case Number 1:05CV00112
	DD	Office Action from the Korean Patent Office dated August 25, 2005
	DE	A.S. Murphy et al., "Breaking the Boundaries of Jameson Cell Capacity" <a href="http://www.xstrata.com/doc/ic_boundaries_en.pdf">http://www.xstrata.com/doc/ic_boundaries_en.pdf</a>
	DF	Clive Washington, <u>Particle Size Analysis in Pharmaceuticals and Other Industries Theory and Practice</u> , Ellis Horwood Limited, (1992), pp. 18-23
	DG	"Phosphor L175" <u>Phosphors</u> (6/1997)
	DH	"Lamp Phosphor Data Sheet", from Nichia Kagaku Kogyo K.K., (May 16, 1995)
	DI	"Representation of results of particle size analysis – Part 2: Calculation of average particle sizes/diameters and moments from particle size distributions", <u>International Standard ISO 9276-2</u> , pp. 1-12 (2001)
	DJ	Robert H. Perry, Don W. Green, and James O. Maloney (eds.), <u>Perry's Chemical Engineers' Handbook</u> Seventh Edition, McGraw Hill (1997), pp. 20-5 – 20-6
	DK	Shigeo Shionoya and William M. Yen (eds.), <u>Phosphor Handbook</u> , CRC Press, pp. 495-498 (1999)
MLT	DL	Shigeo Shionoya and William M. Yen (eds.), <u>Phosphor Handbook</u> , CRC Press, pp. 733-776 (1999)
	DM	
	DN	

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Sheet 1 of 1

Substitute Form PTO-1449 (Modified 10-2002)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 12406-006003	Application No. 10/616,783
<b>Information Disclosure Statement by Applicant</b> (Use several sheets if necessary) (37 CFR §1.98(b))		Applicant Hohn et al.	
		Filing Date July 10, 2003	Group Art Unit 2826

U.S. Patent Documents							
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA			/			
	AB			/			
	AC			/			
	AD			/			
	AE			/			

Foreign Patent Documents or Published Foreign Patent Applications							
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation
							Yes No
MLT	AF	62201989	09/05/1987	Japan			Abstract only
	AG	07-176794	07/14/1995	Japan	H01L	33/00	Abstract Only
	AH	07-292354	11/07/1995	Japan	C09K	11/08	Abstract Only
	AI	08-096958	04/12/1996	Japan	H05B	33/14	Abstract Only
	AJ	10-242513	09/11/1998	Japan	H01L	33/00	Abstract Only
MLT	AK	56-058884	05/22/1981	Japan	B41J	3/20	Abstract Only
	AL			/			
	AM			/			

Other Documents (include Author, Title, Date, and Place of Publication)		
Examiner Initial	Desig. ID	Document
MLT	AN	English Translation of <u>Decision on Opposition</u> from the Japanese Patent Office regarding Opposition 2003-71726, dated August 22, 2005.
	AO	Shigeo Shionoya and William M. Yen (eds.), <u>Phosphor Handbook</u> , CRC Press, pp. 141-520 (1999)
	AP	<u>Phosphor Handbook</u> , (Keikotai Handobukku), Phosphor Research Society (Japan), 1987, pp. 172-174, 188-189, 270, 276, 375, 384-385
MLT	AQ	M.F. Yan et al., "Preparation of $Y_3Al_5O_12$ -Based Phosphor Powders", <u>Journal of the Electrochemical Society</u> , Vol. 134, No. 2, pp. 493-498 (February, 1987)
	AR	
	AS	

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EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

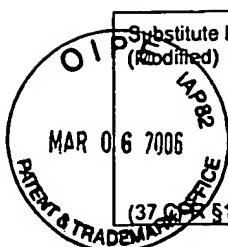
Substitute Form PTO-1449 (Modified) DEC 05 2005		U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 12406-006003	Application No: 10/616,783
<b>Information Disclosure Statement</b> by Applicant <small>(Use separate sheets if necessary)</small> (37 CFR §1.98(b))		<b>Applicant</b> Hohn et al.		
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U.S. Patent Documents							
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA						
	AB						
	AC						
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	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

Foreign Patent Documents or Published Foreign Patent Applications							
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
MLT	AL	JP 5-38926	05/25/1993	Japan	HO1L	33/00	Partial Translation
	AM						
	AN						
	AO						
	AP						

Other Documents (include Author, Title, Date, and Place of Publication)		
Examiner Initial	Desig. ID	Document
MLT	AQ	<i>In the Matter of Certain Light-Emitting Diodes and Products Containing Same, Inv. No. 337-TA-512, "Initial Determination on Remand Regarding the Particle Size Patents", Dated October 31, 2005 (Public Version)</i>
	AR	
	AS	
	AT	

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(37 CFR §1.98(b))		Filing Date July 10, 2003	Group Art Unit 2826

### U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
MLT	AA	5,998,925	12/07/1999	Shimizu et al.			
	AB			/			
	AC			/			

### Foreign Patent Documents or Published Foreign Patent Applications

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
MLT	AD	0 862 794	09/09/1998	EPO	H01L	33/00		
	AE	196 38 667	04/02/1998	Germany	H01L	33/00		
	AF	26 42 465	03/23/1978	Germany	C08L	63/00		
	AG	29724458	05/31/2001	Germany	H01L	33/00	See U.S. 5,998,925	
	AH	3804293	08/24/1989	Germany	H01L	33/00		
	AI	4432035	03/14/1996	Germany	C09K	11/02		
	AJ	90 13 615	01/24/1991	Germany	H01L	33/00		
	AK	2138361	05/28/1990	Japan	C08K	3/00	Abstract Only	
	AL	7-176794	07/14/1995	Japan	H01L	33/00	Yes	
	AM	7-99345	04/11/1995	Japan	H01L	33/00		
MLT	AN	9-73807	03/18/1997	Japan	F21V	88/00		
	AO			/				
	AP			/				

### Other Documents (include Author, Title, Date, and Place of Publication)

Examiner Initial	Desig. ID	Document
MLT	AQ	P. Bowen, "Particle Size Distribution Measurement from Millimeters to Nanometers and from Rods to Platelets", Journal of Dispersion Science and Technology, Vol. 23, No. 5, pp. 631-662 (2002)
	AR	P. Bowen et al., "Particle Size Distribution Measurement of Anisotropic Particles – Cylinders and Platelets – Practical Examples", Recents Prog. Genie Procedes Recents Progres en Genie des Pr RPGPEX 15 77, Science et (2001)
MLT	AS	Bernd Hansen, "Probleme der Ausführbarkeit bei Chemie-Erfindungen", GRUR 2000, No. 6, pp. 469-476

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<b>Other Documents (include Author, Title, Date, and Place of Publication)</b>		
Examiner Initial	Desig. ID	Document
MLT	BA	Ajit Jillavenkatesa et al., <u>Practice Guide, Particle Size Characterization</u> , Special Publication 960-1, pp. 125-137 (January 2001)
	BB	Shuji Nakamura et al., "Candela-class high-brightness InGaN/AIGaN double-heterostructure blue-light-emitting diodes", <u>Applied Physics Letters</u> , Vol. 64, No. 13, pp. 1687-1689 (March 28, 1994)
	BC	Curriculum vitae of Dr. Kevin W. Powers
	BD	Declaration of Dr. Kevin W. Powers in Support of Citizen Electronics Company Ltd.'s Opposition to European Patent 0 862 794 including the references cited therein
	BE	Dr. Alan Rawle. "Basic Principles of Particle Size Analysis", Technical Paper by Alan Rawle, Malvern Instruments, Great Britain (1993)
	BF	Yuichi Sato et al., "Full-Color Fluorescent Display Devices Using a Near-UV Light-Emitting Diode", <u>Applied Physics</u> , Vol. 35, No. 7A, pp. L838-L839 (July 1, 1996)
	BG	P. Schlotter et al., "Luminescence conversion of blue light emitting diodes", <u>Applied Physics A</u> , Materials Science & Processing, Rapid Communication, Volume A, pp. 417-418 (April 1997)
	BH	M.F. Yan et al., "Preparation of $Y_3Al_5O_{12}$ -Based Phosphor Powders", <u>Journal of the Electrochemical Society, SOLID-STATE SCIENCE AND TECHNOLOGY</u> , Vol. 134, No. 2, pp. 493-498 (1987)
	BI	ASTM Designation E 1617-97, "Standard Practice for Reporting Particle Size Characterization Data",
	BJ	Cabot, "Creating What Matters", "Overview", "Cabot PEDs Technology", and "Glossary Terms"
	BK	Kirk-Othmer Encyclopedia of Chemical Technology, Fourth Edition, Chapter "Pigments (Inorganic)", Vol. 19, pp 1-40, John Wiley & Sons, Inc. New York (1996)
	BL	Material Safety Data Sheet, pp. 1-2 with lamp phosphor data sheet of phosphor NP-204 of Nichia Corporation (February 6, 1995)
	BM	Nikkei Sangyo Shimbun (September 13, 1996) (Japanese Version)
	BN	Osram GmbH "Phosphor and Emitter, Chemical Composition, Optical Properties, Physical Properties, and Application"
	BO	Perry's Chemical Engineers' Handbook, Seventh Edition, "Particle Size Analysis", pp. 20-5 – 20-6 (1997)
	BP	Phosphor Handbook, Ohmsha, Japanese Version, pp. 167-175; 188-189; 268-277; 383-385 (1987)
	BQ	Phosphor Handbook, Ohmsha, Japanese Version, English Translation of Cover, inside page, pp. 172-173; 188-189; 268-270; 275-277; and 383-386 (1987)
	BR	Phosphor Handbook (English version), pp. 351-353; 495-508; 733-738; 317-330
	BS	Phosphor Handbook (English version), inside page, pp. 732-759
	BT	Phosphor Technology, "Particle Size Analysis"
MLT	BU	R L Smith/Environmental Health Perspectives, "Review of Glycol Ether and Glycol Ether Ester Solvents Used in the Coating Industry", v. 57, pp. 1-4 (1984)

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Other Documents (include Author, Title, Date, and Place of Publication)		
Examiner Initial	Desig. ID	Document
MLT	CA	"4. Nacharbeitbarkeit ohne zumutbaren Aufwand (4. <i>Reproducibility without undue burden</i> )"; Rechtsprechung der Beschwerdekammern des Europäischen Patentamts, fourth edition, pp. 170-171 (2001)
	CB	Proceedings of the 264th Meeting of the Phosphor Society, "Development and Application of Highbright White LED Lamps", pp. 5-14 (November 29, 1996) (Japanese Version)
	CC	Proceedings of the 264th Meeting of the Phosphor Society, "Development and Application of Highbright White LED Lamps", pp. 5-14 (November 29, 1996) (English Version)
	CD	Mitsubishi Electronics Technical Journal (Mitsubishi Denki Gihō), Vol. 48, No. 9, pp. 1121-1123 (September 1974) (Japanese Version)
	CE	Mitsubishi Electronics Technical Journal (Mitsubishi Denki Gihō), Vol. 48, No. 9, pp. 1121-1123 (September 1974) (English Version)
	CF	Nikkei Electronics, No. 671, (September 23, 1996) (Japanese Version)
	CG	Nikkei Electronics, No. 671, (September 23, 1996) (English Version)
	CH	English Translation of Japanese Patent No. 4-63162 dated May 29, 1992
	CI	English Translation of Japanese Patent No. 5-38926 dated May 25, 1993
	CJ	Nullity Request by Josef Schmidt to the German Patent Office In the name of and on behalf of Nichia Corporation of Japan dated December 3, 2001
MLT	CK	Notice of Intervention from the European Patent Office dated January 19, 2006 with regard to European Application No. 97909167.5 – 2203 / 0862794
	CL	/
	CM	/

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Semi-Patent Form PTO-1449 (Modified) MAR 27 2006 Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR 1.98(b))		U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 12406-006003	Application No. 10/616,783
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U.S. Patent Documents							
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
MLT	AA	4,780,752	10/25/1988	Angerstein et al.	—	—	—
	AB	5,107,317	04/21/1992	Takasaki	—	—	—
	AC	5,126,214	06/1992	Tokailin	—	—	—
	AD	5,202,777	04/13/1993	Sluzky et al.	—	—	—
	AE	5,424,573	06/13/1995	Kato et al.	—	—	—
	AF	5,432,358	07/11/1995	Nelson et al.	—	—	—
	AG	5,798,537	08/25/1988	Nitta	—	—	—
	AH	5,847,507	12/08/1988	Butterworth et al.	—	—	—
	AI	6,069,440	05/30/2000	Shimizu et al.	—	—	—
	AJ	6,576,930	06/10/2003	Reeh et al.	—	—	—
	AK	6,812,500	11/02/2004	Reeh et al.	—	—	—
	AL	2001/0030326	10/18/2001	Reeh et al.	—	—	—
	AM	2005/0127385	06/16/2005	Reeh et al.	—	—	—
MLT	AN	2005/0161694	07/28/2005	Reeh et al.	—	—	—
	AO				—	—	—
	AP				—	—	—

Foreign Patent Documents or Published Foreign Patent Applications							
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							Yes No
MLT	AQ	1175103	07/11/1989	Japan	F21V	8/00	English Abstract Only
	AR	01179471	07/17/1989	Japan	H01L	33/00	English Abstract Only
	AS	1260707	10/18/1989	Japan	F21V	9/10	English Abstract Only
MLT	AT	4-175265	06/23/1992	Japan	C04B	35/44	English Abstract Only

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							Yes      No
MLT	BA	5335624	12/17/1993	Japan	H01L	33/00	English Abstract Only
	BB	08007614	01/12/1996	Japan	F21S	1/00	English Abstract Only
	BC	081010/1997	03/31/1997	Japan	H01L	33/00	Yes
	BD	9028642	02/04/1997	Japan	A47L	11/38	English Abstract Only
	BE	4110236	04/10/1992	Japan	B60K	35/00	English Abstract Only
	BF	46-39866	06/12/1973	Japan	F16H	9/06	English Abstract Only
	BG	48-6962	03/02/1973	Japan	G03C	1/71	English Abstract Only
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	BL			/			
	BM			/			

Other Documents (include Author, Title, Date, and Place of Publication)		
Examiner Initial	Desig. ID	Document
MLT	BN	Mary V. Hoffman, "Improved color rendition in high pressure mercury vapor lamps", <u>Journal of IES</u> , pp. 89-91 (January 1977)
MLT	BO	Shuji Nakamura, "Present performance of InGaN based blue/green/yellow LEDs", <u>SPIE</u> , Vol. 3002, pp. 26-35 (February 13-14, 1997)

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Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 12406-006003	Application No. 10/616,783
<b>Information Disclosure Statement by Applicant</b> (Use several sheets if necessary) (37 CFR §1.98(b))		Applicant Hohn et al.	
		Filing Date July 10, 2003	Group Art Unit 2826

<b>Other Documents (include Author, Title, Date, and Place of Publication)</b>		
Examiner Initial	Desig. ID	Document
MLT	CA	A.D. Merriman, A Dictionary of Metallurgy, MacDonald & Evans, Ltd. London, page 9 (1958)
MLT	CB	German Utility Model G 90 13 615.2., dated January 24, 1991, electroluminescent or laser diode
	CC	
	CD	

Examiner Signature Minhloan Tran	Date Considered 4106
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